

REMARKS

Claims 1-11, following entry of this Amendment, are all the claims pending in this application. By amendment above, claims 1-11 have been amended. Claim 12 has been canceled without prejudice or disclaimer.

Reconsideration of the subject patent application and allowance of the claims are respectfully requested in view of the foregoing amendments and the following remarks.

As a preliminary matter, Applicant has added the legend "Prior Art" to Figure 11. Accordingly, Applicant respectfully requests withdrawal of the objection to the drawings.

Claims 1-12 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Solondz (U.S. Patent No. 6,259,730). Applicant respectfully traverses this rejection.

Applicable case law holds that in order to anticipate a claim, a single prior art reference must disclose each and every feature of the claim. Here, Solondz does not teach each and every feature of the claimed invention.

Independent claim 1 now recites, inter alia, "wherein said signals being transmitted from said at least one antenna of one transmitter of said plurality of transmitters is delayed an arbitrary delay time so that output power which is different from at least one delay output in the other transmitters is set in each of said plurality of transmitters." Independent claim 8 has similar limitations. Solondz fails to disclose, teach or suggest this limitation.

Elements 320-32N (Fig. 6) of Solondz are fixed delay elements which delay a modulated signal by a predetermined delay time. Col. 4, lines 28-38. See, e.g., col. 4, lines 39-57. The delay elements 320-32N of Solondz do not arbitrarily delay signals such that output power different from at least one delay output in other transmitters is set in each of a plurality of transmitters (based on the one transmitter).

Independent claim 4 now recites, inter alia, "wherein said signals being supplied to the antennas are obtained by differently delaying modulated signals and carrying out

weighting synthesization on the signals, at least one of the delay amount and the weighting factor in each of said transmitters is set to a value different from the other transmitters." Independent claims 6, 10 and 11 have similar limitations.

The Patent Office asserts that Solondz discloses this limitation and relies on the text at column 3, lines 32-54 to support its assertion. However, the text merely describes a mobile communication system having a base station including two antennas spatially separated such that two or more versions of the same signal is transmitted to a mobile station. Solondz is similar to the conventional radio communication system as described in the background section of the present invention (e.g., Fig. 11), whereas the signals from a plurality of base stations offset each other and the reception of the signals is difficult in a specified position when the radio communication system covers a wide area. Accordingly, there is no disclosure, teaching or suggestion in the Solondz reference of the above feature.

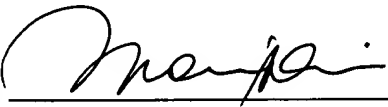
Since Solondz does not teach each and every limitation of independent claims 1, 4, 6, 8, 10 and 11, Solondz cannot anticipate these claims. Thus, the § 102(e) rejection of these claims should be withdrawn.

Dependent claims 2, 3, 5, 7 and 9 depend directly on at least one of independent claims 1, 4, 6 and 8, and are patentable for at least the same reasons discussed above with respect to claims 1, 4, 6 and 8 in addition to the features they recite.

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Applicant submits that the present application is now in condition for allowance.
Reconsideration and favorable action are earnestly requested.

Respectfully submitted,

By 

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Attachment: Replacement Sheet
Annotated Sheet Showing Changes

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